IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of NAZARE, et al.

Examiner:

Art Unit:

Application No.: 10/848,743

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1713

Filed: 05/19/2004

Title: Indole Derivatives as Factor Xa

Inhibitors

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

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<u>INFORMATION DISCLOSURE STATEMENT</u> <u>UNDER 37 C.F.R. 1.56, 1.97 AND 1.98</u>

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 C.F.R. 1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 C.F.R. 1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 C.F.R. 1.97(h), constitute an admission that any patent, publication or other information referred to is, or is considered to be, material to the patentability of this invention. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.

(a) This Information Disclosure Statement is filed within the period set forth in §1.97(b) because it accompanies the new patent application submitted herewith, is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in §1.491 in an international application, or is believed to be filed before the mailing date of a first Office Action on the merits, whichever event occurs last. However, in the event that the first office action has been mailed, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. 18-1982.

(b)	This	s Information Disclosure Statement is filed after the period set forth in 37 C.F.R.
	1.97	7(b), but is believed to be filed before the mailing date of a final action under §1.113
	or a	notice of allowance under §1.311, whichever occurs first.
	(1)	The undersigned attorney certifies that each item of information contained in this
		Information Disclosure Statement was cited in a communication from a foreign
		patent office in a counterpart foreign application not more than three months prior
		to the filing of this statement;
	(2)	The undersigned attorney certifies that no item of information contained in this
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		statement; or
	(3)	This Information Disclosure Statement is accompanied by a transmittal letter in
		which payment of the fee set forth in §1.17(p) and required by 37 C.F.R. 1.97(c) is
		authorized.

A concise explanation of the relevance of some or all of the items listed on the attached PTO-1449 (modified) is as follows:

The items listed on pages 1 –7 of the attached PTO-1449 have been previously submitted to the Patent Office or cited by the Examiners during the prosecution of the following patents or patent applications commonly owned by the assignees of record of the present case:

U.S. Patent Application Nos. 10/849,089.

Therefore, a copy of the reference is not enclosed with this Information Disclosure Statement. However, the applicant will furnish a copy of any listed reference, if so requested by the Examiner.

The items listed on pages 8 and 9 of the attached PTO-1449 are a new submission. A copy of each reference therein is enclosed.

For the listed Japanese patent publication (09087282), we only reviewed the English abstract, which is enclosed herewith.

Respectfully submitted,

oseph D. Rossi, Reg. No. 47,038

Attorney for Applicant

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Aventis Docket No. DEAV2003/0035US NP

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Filing Date	05-19-2004						
First Named Inventor	NAZARÉ						
Group Art Unit	1713						
Examiner Name							
Attorney Docket Number	DEAV2003/0035 - US - NP	_					

U.S. PATENT DOCUMENTS								
Examiner Initials*	Cite No.1	U.S. Patent Number	Document Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relovant Passages or Relevant Figures Appear		
		10/301,397		NAZARÉ	11-21-2002			
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		wo	95/29189			AL-OBEIDI, et. al.	11-02-1995		
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		wo	99/33800			DEFOSSA Elisabeth et al	07-08-1999		
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¹ Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.



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		OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS							
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.							
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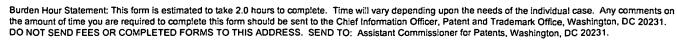
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		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
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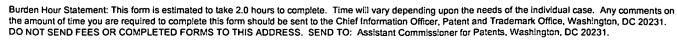
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NAZARÉ STATEMENT BY APPLICANT **First Named Inventor** 1713 Group Art Unit (use as many sheets as necessary) **Examiner Name** of Attorney Docket Number DEAV2003/0035 - US - NP Sheet 9

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS							
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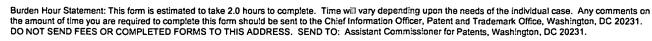
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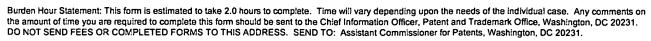
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Substitute for form 1449B/PTO				Complete if Known			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	10/848,743		
			ISCLOSURE	Filing Date	05-19-2004		
			ΔΡΡΙΙΚΑΝΤ	First Named Inventor	NAZARÉ		
			/	Group Art Unit	1713		
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